

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DAVID A. MOORE,

Plaintiff,

V.

**KING COUNTY JAIL, et al.,**

## Defendant.

CASE NO. C17-347 JCC-BAT

## **ORDER DENYING MOTION TO APPOINT COUNSEL**

Defendant filed a *pro se* § 1983 complaint and moves the Court to appoint counsel. Dkt.

6. For reasons below, the Court **DENIES** the motion.

A person generally has no right to counsel in a civil action. *See Campbell v. Burt*, 141

F.3d 927, 931 (9th Cir. 1998). The Court may appoint counsel for indigent civil litigants under

<sup>28</sup> U.S.C. § 1915(e)(1), but only under “exceptional circumstances.” *Agyeman v. Corrections*

*Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004). When determining whether “exceptional

circumstances” exist, the Court considers “the likelihood of success on the merits as well as the

ability of the [plaintiff] to articulate his claims pro se in light of the complexity of the legal issues.

involved.” *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983).

1 Based on these factors, appointment of counsel is not justified at this point. The  
2 complaint filed is deficient and must be cured to survive dismissal. Additionally, plaintiff has  
3 shown via the pleadings he has submitted that he can articulate his claims *pro se* in light of the  
4 complexity of the legal issues involved. The Court accordingly **DENIES** the motion. Dkt. 6.

5 The Clerk is directed to send a copy of this Order to plaintiff.

6 DATED this 17th day of April, 2017.

  
BRIAN A. TSUCHIDA  
United States Magistrate Judge